



DAN MORALES
ATTORNEY GENERAL

Office of the Attorney General
State of Texas

July 5, 1991

Mr. Tom O'Connell
Criminal District Attorney
Collin County Courthouse
McKinney, Texas 75069

OR91-318

Dear Mr. O'Connell:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 12351.

We have considered the exception you claimed, specifically section 3(a)(3). A previous determination of this office, Open Records Decision No. 551 (1990), a copy of which is enclosed, resolves your request. Specifically, section 3(a)(3) is no longer applicable after litigation has been concluded. *See also*, Open Records Decision No. 350 (1982). Mr. Strasser's letter of April 18, 1991, indicates that the defendant was no-billed on April 16, 1991, and you have not disputed this assertion. For this reason, you must release the requested information. Any criminal history information contained in your file regarding an identifiable individual should be withheld under section 3(a)(1), however. *See* Open Records Decision No. 565 (1990).

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-318.

Yours very truly,

A handwritten signature in cursive script, reading "Rick Gilpin".

Rick Gilpin
Assistant Attorney General
Opinion Committee

RG/mc

Ref.: ID# 12351

Enclosures: Open Records Decision Nos. 551 (1990); 350 (1982)..

cc:

Mr. Michael L. Strasser

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